

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

|                             |   |                            |
|-----------------------------|---|----------------------------|
| IN RE: MARK S. BARNER       | : | CHAPTER 13                 |
|                             | : |                            |
| Debtor(s)                   | : |                            |
|                             | : |                            |
| CHARLES J. DEHART, III      | : |                            |
| STANDING CHAPTER 13 TRUSTEE | : |                            |
| Movant                      | : |                            |
|                             | : |                            |
| vs.                         | : |                            |
|                             | : |                            |
| MARK S. BARNER              | : |                            |
| Respondent(s)               | : | CASE NO. 1-19-bk-03553-HWV |

TRUSTEE'S OBJECTION TO THIRD AMENDED CHAPTER 13 PLAN

AND NOW, this 2<sup>nd</sup> day of December, 2019, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

1. The Trustee avers that debtor(s)' plan is not feasible based upon the following:
  - a. The plan is inconsistent with Proofs of Claims filed and/or approved by the Court. (UCFS – Claim #8)
2. Trustee avers that debtor(s)' plan is not feasible and cannot be administered due to the lack of the following:
  - a. Unfiled 2017 Federal Income Tax return (Claim #1).

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Charles J. DeHart, III  
Standing Chapter 13 Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
(717) 566-6097

CERTIFICATE OF SERVICE

AND NOW, this 2<sup>nd</sup> day of December, 2019, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

John Matthew Hyams, Esquire  
Law Offices of John M. Hyams  
2023 N 2nd St  
Harrisburg, PA 17102  
Email: [jmh@johnhyamslaw.com](mailto:jmh@johnhyamslaw.com)

/s/Amy S. Powell  
Office of Charles J. DeHart, III  
Standing Chapter 13 Trustee